

Testimony
Engrossed House Bill 1406 - Department of Human Services
Senate Transportation Committee
Senator David Clemens, Chairman

March 4, 2021

Chairman Clemens and members of the Transportation Committee, I am Jim Fleming, Director of the Child Support Division of the Department of Human Services (Department). I am here today on behalf of the Department to provide neutral testimony on Engrossed House Bill 1406.

Knowing a parent's social security number is very important to locating a parent who owes child support and his or her assets, and in taking child support enforcement actions without risk of mistaken identity. In recognition of this, as a condition of participating in the Child Support and TANF programs, federal law since 1996 has required states to have a number of laws to ensure effectiveness of the Child Support program, including use of a parent's social security number:

In order to satisfy section 654(20)(A) of this title, each State must have in effect laws requiring the use of the following procedures, consistent with this section and with regulations of the Secretary, to increase the effectiveness of the program which the State administers under this part: ...

(13) Recording of social security numbers in certain family matters

Procedures requiring that the social security number of--

- (A)** any applicant for a professional license, driver's license, occupational license, recreational license, or marriage license be recorded on the application;
- (B)** any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment be placed in the records relating to the matter; and

- (C) any individual who has died be placed in the records relating to the death and be recorded on the death certificate.

42 United States Code Section 666.

The federal Office of Child Support Enforcement has offered states the following guidance on complying with this mandate:

We interpret the statutory language in section 466(a)(13) of the Act to require that States have procedures which require an individual to furnish any social security number that he or she may have. Section 466(a)(13) of the Act does not require that an individual have a social security number as a condition of receiving a license, etc. We would advise States to require persons who wish to apply for a license who do not have social security numbers to submit a sworn affidavit, under penalty of perjury, along with their application stating that they do not have a social security number.

Engrossed House Bill 1406 authorizes the affidavit option for applicants who do not have a social security number. The federal Office of Child Support Enforcement has confirmed to the Department that the current bill, if enacted, would satisfy federal law.

Mr. Chairman and members of the Committee, this concludes my testimony, and I would be happy to answer any questions you may have.